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**JUL 21 2009**

**OFFICE OF PETITIONS**

In re Application of	:	
Moroney et al.	:	
Application No. 10/647064	:	
Filing or 371(c) Date: 08/22/2003	:	ON PETITION
Attorney Docket Number:	:	
D03037	:	

This is a decision on the Request for Reconsideration of Petition Under 37 CFR 1.137(b), filed June 3, 2009, to revive the above-identified application.

The petition is **granted**.

The above-identified application became abandoned for failure to timely and properly reply to the final Office action, mailed August 15, 2007. The Office action set a three (3) month period for reply from the mail date of the Office action. Extensions of time were available under 37 CFR 1.136(a). Applicant filed a Request for Continued Examination ("RCE") and an Amendment on February 15, 2008; however, the Amendment was non-compliant. Applicant was so notified in a Notice of Non-Compliant Amendment mailed March 5, 2008. No complete and proper reply having been received, the application became abandoned on November 16, 2007. A Notice of Abandonment was mailed October 1, 2008.

Applicant files the present petition and Amendment in response to the Office action. The Amendment has been approved by the Examiner. The petition satisfies the conditions for revival pursuant to the provisions of 37 CFR 1.137(b) in that (1) the reply in the form of an Amendment is filed with the present petition; (2) the petition fee (previously submitted); and (3) the required statement of unintentional delay (previously submitted). Accordingly, the reply is accepted as having been unintentionally delayed.

This application is being referred to Technology Center Art Unit 2134 for processing of the Amendment filed with the petition in the normal course of business.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3232.

/Derek L. Woods/  
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